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Approved for use through 10/31/2002. OMB 0651-0032  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53 (b))

|                        |  |                     |
|------------------------|--|---------------------|
| Attorney Docket No.    |  | LEX-0182-USA        |
| First Inventor         |  | Turner, Jr., et al. |
| Title                  | Novel Human Mitochondrial Proteins and Polynucleotides Encoding the Same |                     |
| Express Mail Label No. |  | EL 826373505 US     |

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application

ADDRESS TO: Assistant Commissioner for Patents  
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Washington, DC 20231

|   |                                     |  |
|---|-------------------------------------|--|
| 1 | <input type="checkbox"/>            | Fee Transmittal Form (e.g., PTO/SB/17)<br>(Submit an original and a duplicate for fee processing)  |
| 2 | <input checked="" type="checkbox"/> | Applicant claims small entity status.<br>See 37 CFR 1.27.  |
| 3 | <input checked="" type="checkbox"/> | Specification [Total Pages 63]<br>(preferred arrangement set forth below) <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the disclosure</li></ul> |
| 4 | <input type="checkbox"/>            | Drawing(s) (35 U.S.C. 113) [Total Sheets] [2]  |
| 5 | <input type="checkbox"/>            | Oath or Declaration [Total Pages] [2] <ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Unexecuted (original or copy)</li><li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/>(for continuation/divisional with Box 18 completed)<ul style="list-style-type: none"><li>i. <input type="checkbox"/> DELETION OF INVENTOR(S)<br/>signed statement attached deleting inventor(s)<br/>named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li></ul></li></ul>   |
| 6 | <input type="checkbox"/>            | Application Data Sheet. See 37 CFR 1.76  |

|   |                          |  |
|---|--------------------------|--|
| 7 | <input type="checkbox"/> | CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)  |
| 8 | <input type="checkbox"/> | Nucleotide and/or Amino Acid Sequence Submission<br>(if applicable, all necessary) <ul style="list-style-type: none"><li>a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)</li><li>b. Specification Sequence Listing on:<ul style="list-style-type: none"><li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li><li>ii. <input checked="" type="checkbox"/> paper</li></ul></li><li>c. <input checked="" type="checkbox"/> Statements verifying identity of above copies</li></ul> |


## ACCOMPANYING APPLICATION PARTS


|    |                                     |   |
|----|-------------------------------------|---|
| 9  | <input type="checkbox"/>            | Assignment Papers (cover sheet & document(s))   |
| 10 | <input type="checkbox"/>            | 37 CFR 3.73(b) Statement (when there is an assignee) <input checked="" type="checkbox"/> Power of unexecuted    |
| 11 | <input type="checkbox"/>            | English Translation Document (if applicable)  |
| 12 | <input type="checkbox"/>            | Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations                |
| 13 | <input type="checkbox"/>            | Preliminary Amendment   |
| 14 | <input checked="" type="checkbox"/> | Return Receipt Postcard (MPEP 503)<br>(Should be specifically itemized)   |
| 15 | <input type="checkbox"/>            | Certified Copy of Priority Document(s)<br>(if foreign priority is claimed)                                      |
| 16 | <input checked="" type="checkbox"/> | Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent |
| 17 | <input type="checkbox"/>            | Other: _____  |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

|  |                                     |   |                                 |
|--|-------------------------------------|---|---------------------------------|
| <input type="checkbox"/> Continuation  | <input type="checkbox"/> Divisional | <input type="checkbox"/> Continuation-in-part (CIP) | of prior application No.: _____ |
| Prior application information: Examiner _____  |                                     | Group Art Unit: _____                               |                                 |
| For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. |                                     |   |                                 |

## 19. CORRESPONDENCE ADDRESS

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|-------------------|---|-----------------------------------|---------|
| Name (Print/Type) | Lance K. Ishimoto   | Registration No. (Attorney/Agent) | 41866   |
| Signature         |  | Date                              | 5/30/01 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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|   |                      |  |
|---|----------------------|--|
| <b>NONPUBLICATION REQUEST<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> | First Named Inventor | Turner, Jr., et al.  |
|   | Title                | Novel Human Mitochondrial Proteins and Polynucleotides Encoding the Same |
|   | Atty Docket Number   | LEX-0182-USA   |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5/30/01

Date



Signature

Lance K. Ishimoto

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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